



518a Shepherds Lodge, Stag Park, Petworth, West Sussex, GU28 9LT

Phase 1 Habitat Assessment

Land at the Kings Close, Yapton

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Report Summary:

- 1. A survey was undertaken on 24/04/14 by Dr Ryan Walker, to assess the ecological value of an area of land situated within Kings Close, Yapton, that is proposed for development.**
- 2. The Survey was undertaken using Phase 1 habitat classification and methodology, as published by the Joint Nature Conservation Committee.**
- 3. The site supports three classified habitats; Bare ground; Tall ruderals and Scrub. The southern section of the site (scrub area) has been disturbed within the recent past, whereby all predevelopment habitats have been destroyed.**
- 4. The scrub area could potentially support reptiles, whilst the recent site clearance has prevented an accurate assessment of the value of the site for some protected species prior to the initial clearance works.**
- 5. A reptile presence/absence survey will be required prior to the commencement of any construction activity. The results of this survey will therefore guide any necessary reptile mitigation.**
- 6. It should be noted that if the vegetation upon the site is allowed to develop over the next year it will be necessary to consider nesting birds and vegetation should only be cleared outside of the breeding birds season (April-September).**

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1 INTRODUCTION

1.1 Purpose of the Report

This report gives details of a Phase 1 Habitat survey, to assess the ecological value of the above site. The survey works were undertaken upon a plot of land situated to the western end of Kings Close, Yapton, West Sussex. The grid reference for the site is SU 98003 03071.

This work was conducted by Dr Ryan Walker, a full member of the Chartered Institute for Ecology and Environmental Management (CIEEM) and a Chartered Environmentalist (CEnv), through the Society for the Environment.

This survey and report was carried out and produced at the request of Prime Securities Ltd.

1.2 Background

This report assesses the current ecological value of a small area of land (approx. 2,000m²) situated to the west of Kings Road, Yapton, West Sussex (Fig. 1). The intention is to develop the site to support new, residential dwellings. This report describes the ecological value of the site, at this current period in time, through the results of a Phase 1 Habitat Survey. The results of this survey work will therefore assess the potential impact of the proposed development within this site, upon any protected species and/or habitats currently occurring or potentially occurring upon the site.

Where necessary this report outlines potential mitigation measures to ensure that no protected species and/or habitats are negatively impacted during the development of the site.

A Phase 1 Habitat Map has been provided in section 1.3. (Fig. 5) to show all of the habitats within the site proposed for development, that could be potentially affected through the development of the site. Additionally, biodiversity records were collated from the online National Biodiversity Network (NBN) Gateway based on a 2km radius from the centre of the site.



2 METHODOLOGY

2.1 Phase 1 Habitat Survey

A Phase 1 Habitat Survey gives a standardised system for classifying and mapping wildlife habitats in all parts of Great Britain, including urban areas. The aim of Phase 1 Habitat Survey is to provide, relatively rapidly, a record of the semi-natural vegetation and wildlife habitat over large areas of countryside or land. The habitat classification is based principally on vegetation, augmented by reference to topographic and substrate features, particularly where vegetation is not the dominant component of the habitat¹.

Data is gathered through walking over a site and physically describing the dominating habitats present and often the floral species compositions of these habitats in the form of target notes. In addition to this, notable habitats, such as local and national Biodiversity Action Plan habitats are described. The results are presented as a map.

The survey also includes an assessment of the availability of suitable habitats, or signs to suggest the presence of legally protected plant and/or animal species. Typically, colonies of the following protected species can often be found within some suburban environments:

2.1.1 Badger

An initial assessment was carried out to identify areas that might be used by badgers (*Meles meles*). Signs of Badgers including setts, incidental foraging signs, runs and latrines.

2.1.2 Bats

Trees, buildings, and other structures were assessed for the potential to support roosting bats. Bats can use a variety of roost areas including trees with holes, splits, cracks, cavities, Ivy and loose bark as well as a variety of roosting areas within buildings. A detailed survey was carried out looking for any evidence indicating the presence of bats using buildings or trees, such as rub marks, staining or droppings inside or outside any potential roost sites.

2.1.3 Breeding Bird Habitat

Habitats were assessed for their suitability for supporting nesting birds. This could include ground nesting species, such as skylark (*Alauda arvensis*) and lapwing (*Vanellus vanellus*) or birds that favour urban environments. Where buildings were present, possible use by starlings (*Sturnus vulgaris*) house sparrow (*Passer domesticus*), or barn owls (*Tyto alba*).

¹ JNCC (2010) *Handbook for Phase 1 habitat survey: A technique for environmental audit*. Joint Nature Conservation Committee, Peterborough.

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2.1.4 Dormice

Any woodland and/or hedgerows on or adjacent to the site were assessed for their suitability to support dormice.

2.1.5 Great Crested Newt

The site was assessed for suitable aquatic or terrestrial habitat upon, or within 500m of the site for the potential to support great crested newts (*Triturus cristatus*).

2.1.6 Reptiles

The site was assessed for suitable reptiles habitat, with particular attention paid to those features that provide suitable basking areas (e.g. south-facing slopes), hibernation sites (e.g. banks, walls, piles of rotting vegetation) and foraging habitat (rough grassland and scrub).

2.3 Local Biological Records

Biodiversity records were requested from the NBN Gateway, based on a 2km radius from the centre of the site. Biodiversity records returned included all known protected and notable species records, given the prevailing habitats upon the site which could potentially support such species. These results can indicate or confirm the presence of notable or protected species within the wider area.

2.2 Legal Protection

Legal protection applying to relevant bird, mammal and herpetofauna species is briefly detailed in *Appendix 1* of this report.



3 RESULTS

3.1 Phase 1 Habitat Survey

The site at Kings Close comprises of three main habitats; bare ground (J1.2; Figs. 2, 3 & 5) to the east of the site, a strip of tall ruderals fringing the hard standing (C3.1; Fig. 3 & 5) and scrub - scattered, to the south and west of the site (Fig. 4 & 5) (Table. 1).

There is an area of bare ground habitat to the west of the road (Kings Close) (Fig. 2), which is fringed with tall ruderals and the hardcore ground is the remains of a former area of concrete hard-standing. The south of the site, within the scrub habitat has already been subjected to substantial clearance and alteration within the recent past, and some spoil piles remain from this activity. An assessment of the original habitat features of the site is impossible following this ground work. The remaining three classified habitats are of low ecological value.

Habitat type	JNCC classification	Target note including general species composition
Bare ground (Figs. 2 & 3)	J4	Hard standing for portacabins and tarmac road areas, servicing the existing houses within Kings Close.
Tall ruderals (Figs. 3)	C3.1	A rough sward upon disturbed ground dominated by: perennial rye grass (<i>Lolium perenne</i>) creeping thistle (<i>Cirsium arvense</i>) dock (<i>Rumex crispus</i>).
Scrub - scattered (Fig. 4)	A.2.2	An area of disturbed ground, with what appears to be topsoil and vegetation recently (within the last two years) piled into spoil heaps. Floral composition dominated by: ribwort (<i>Plantago lanceolata</i>), perennial rye grass (<i>Lolium perenne</i>) clover (<i>Trifolium</i> sp.) yarrow (<i>Achillea millefolium</i>) creeping thistle (<i>Cirsium arvense</i>) dock (<i>Rumex crispus</i>), bramble (<i>Rubus fruticosus</i>), black thorn (<i>Prunus spinosa</i>) nettle (<i>Urtica dioica</i>).

Table 1. The three dominant habitat classification currently supported by the site at Kings Close, Yapton. The target notes describe the dominant floral composition of each of the habitats.

In its current state the site supports little habitat for protected species. However, the alteration to the land within the recent past could have potentially destroyed habitats or population of protected species, therefore committing offences under UK and EU wildlife regulations (though this is only anticipated as likely to have affected common reptile species). Currently, the area of scrub habitat to the west of the site could be considered suitable habitat for supporting populations of reptiles (Fig. 4). If the areas of vegetation within the site are allowed to develop for greater than another 12 months nesting birds will have to be taken into consideration, therefore limiting vegetation clearance during the bird breeding season (April-September).

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Figure 1. An aerial screen grab view from Google Earth of the land proposed for development at Kings Close, Yapton (red box). Figure orientated from north to south.



Figure 2. Bare ground (J4) - area of hard standing to support portacabins.

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Figure 3. Tall ruderal (C3.1) area to the east of the bare ground (hard standing area).



Figure 4. Scrub (scattered) A.2.2 - across the disturbed ground to the west of the site, with topsoil piles and habitat that could be considered suitable to support populations of reptiles.

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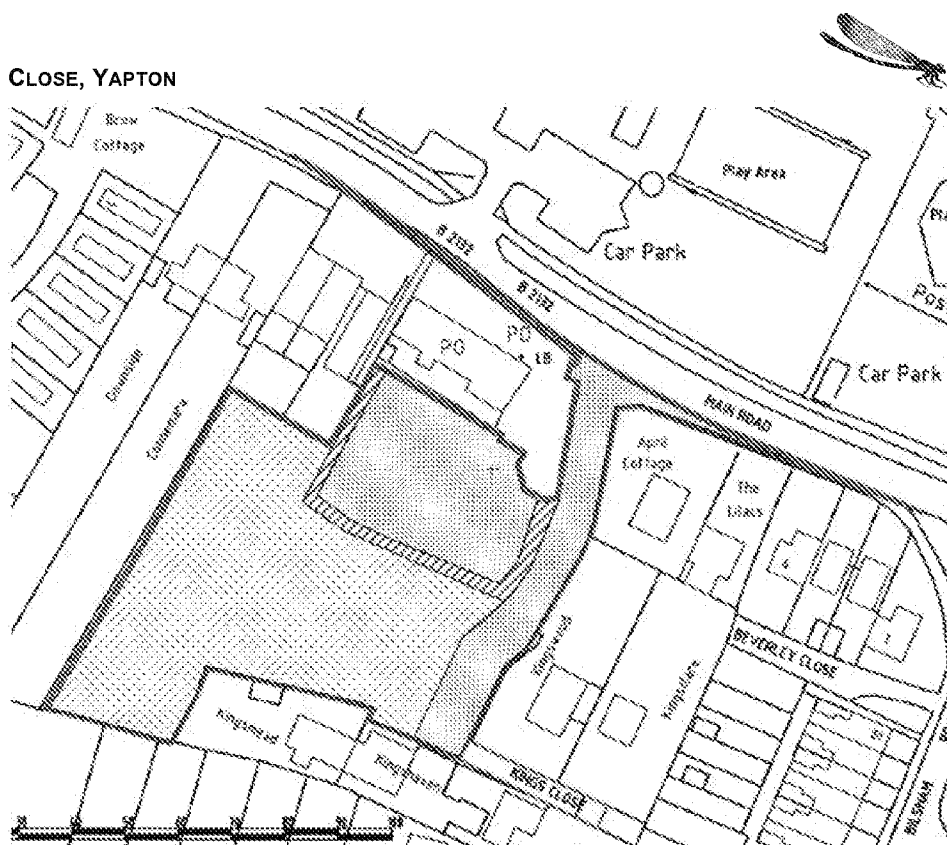


Figure 5. Phase 1 habitat map, with the site boundary indicated as a red line. Bare ground (J4) is indicated by the dark dots; Tall ruderals (C3.1) is indicated by the brown cross hatch; Scrub-scattered (A.2.2) is indicated by the green dots.

3.1 Protected species

The construction zone does not support any habitats that would be suitable for dormice or roosting bats. The site does not include any hedges or woodland that might be suitable for dormice or foraging bats, whilst the lack of any mature trees or buildings that might be suitable for roosting bats means that there would not be any anticipated impacts upon this group of species.

No signs of any badger activity was seen during the survey assessment and it is highly unlikely that this species is active within the local vicinity due to a lack of connectivity to suitable habitat and any disturbance by human activity.

Habitat is present that may support some common species of reptile, with some patches of suitable foraging habitat and open areas for basking. No suitable habitats for nesting birds were identified at the time of the survey, with a lack of suitable vegetative cover for ground nesting birds or any hedges or trees that might support common passerines.

3.2 Local Biological Records

In its current condition, the site supports habitat that could be considered suitable for supporting populations of reptiles. The NBN Gateway revealed that slow worms (*Anguis fragilis*) and grass snakes (*Natrix natrix*) have been recorded within 2km of the site within the last 10 years.



4 DISSCUSSION AND RECOMMENDATIONS

4.1 Phase 1 Habitat Survey

The south of the site (Scrub habitat) has undergone significant alteration and ground clearance within the recent past and as a result parts of the existing habitats are of low ecological value – the previous value of this habitat cannot be speculated.

4.1.1 Reptiles

The scrub habitat within the site could be considered suitable habitat for reptiles. A presence/absence survey will be necessary in order to establish if any reptile species are currently using the site. Both slow worm and grass snake have been recorded as occurring within 2km of the site.

A presence/absence survey consists of seven survey visits after several survey 'tins' consisting of corrugated metal or bitumen sheeting have been allowed to bed in for at least 10 days. Surveys can take place between April and mid October when the air temperature is at least 9 degrees centigrade or warmer in the absence of wet or very windy weather. Given the size of the site and its habitat structure at least 10 survey sheets would be considered appropriate in this instance.

4.1.1 Breeding birds

Currently the vegetation upon the site is likely to be unsuitable for supporting breeding birds. However if the vegetation is allowed to develop for greater than approximately 12 months there is the potential for the site to be used by breeding birds and therefore should be taken into consideration if vegetation is to be cleared during the breeding season (April-September). Any vegetation, such as bramble scrub that develops to more than 1 metre in height should not be cleared during the nesting bird season unless a hand search is first conducted by a suitably qualified ecologist.



General

This section briefly describes the legal protection afforded to protected species. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation, but summarises the salient points.

Badger

Badger is protected in Britain under the Protection of Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended).

The legislation affords protection to Badger and Badger setts, and makes it a criminal offence to:

- wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or to attempt to do so;
- interfere with a sett by damaging or destroying it;
- to obstruct access to, or any entrance of, a Badger sett;
- or to disturb a Badger when it is occupying a sett.

Bats, Dormouse and Great Crested Newt

Dormouse (*Muscardinus avellanarius*), great crested newt (*Triturus cristatus*), and all species of British bat (*Vespertilionidae* and *Rhinolophidae*) are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. These species are also all listed as European Protected Species on *Schedule 2* of the *Conservation (Natural Habitats, etc.) Regulations 1994* which gives them full protection under *Regulation 39*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRoW Act). Under the above legislation it is an offence to:

kill, injure or take an individual;

possess any part of an individual either alive or dead;

intentionally or recklessly damage, destroy or obstruct access to any place or structure used by these species for shelter, rest, protection or breeding;

intentionally or recklessly disturb these species whilst using any place of shelter or protection; or

sell or attempt to sell any individual.

It is also an offence to set and use articles capable of catching, injuring or killing bats (for example a trap or poison), or knowingly cause or permit such an action. In the case of Dormouse and all species of British bat there is also protection under *Schedule 6* of *The Wildlife and Countryside Act 1981* (as amended) relating specifically to trapping and direct pursuit of these species.

Dormouse, great crested newt and all species of British bat are included as priority species

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in the *UK Biodiversity Action Plan* and as species of principal importance for the conservation of biological diversity in England under *Section 74 of the Countryside and Rights of Way (CRoW) Act 2000*.

Reptiles

Common lizard (*Lacerta vivipara*), grass snake (*Natrix natrix*), slow worm (*Anguis fragilis*), and adder (*Vipera berus*) are listed under *Schedule 5 of the Wildlife and Countryside Act 1981* (as amended), in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the *Countryside and Rights of Way (CRoW) Act 2000*. Under the legislation it is an offence to:

- intentionally or deliberately kill or injure any individual of these species;
- or sell or attempt to sell any part of these species either alive or dead.

Nesting Birds

All species of bird are protected under *Section 1 of the Wildlife and Countryside Act 1981* (as amended). Protection was extended by the *Countryside and Rights of Way (CRoW) Act 2000*. Under the above legislation it is an offence to intentionally:

kill, injure or take any wild bird;

- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or

take or destroy an egg of any wild bird.

Certain species are listed on *Schedule 1 of the Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4) and 1(5)*. The protection was extended by the *Countryside and Rights of Way (CRoW) Act 2000*. There are special penalties where the offences listed above are committed for any *Schedule 1* species and it is also an offence to intentionally or recklessly:

- disturb any such bird when it is building its nest or while it is in or near a nest containing dependant young; or

disturb the dependant young of any such bird.